

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

VICTOR VOE, by and through his parents
and next friends, Vanessa Voe and Vance
Voe; *et al.*,

Plaintiffs,

v.

THOMAS MANSFIELD, in his official
capacity as Chief Executive Officer of the
North Carolina Medical Board; *et al.*,

Defendants,

and

PHILIP E. BERGER, in his official
capacity as President Pro Tempore of
the North Carolina Senate, and
TIMOTHY K. MOORE, in his official
capacity as Speaker of the North
Carolina House of Representatives,

Intervenor-Defendants.

CASE NO. 1:23-cv-864

**INTERVENOR-DEFENDANTS' RESPONSE TO VOE PLAINTIFFS' MOTION
TO PROCEED PSEUDONYMOUSLY**

Intervenor-Defendants' do not oppose Plaintiffs Victor Voe, Vanessa Voe, and Vance Voe proceeding pseudonymously in this action. *See* Mot. to Proceed Pseudonymously, Doc. 13. Intervenor's non-opposition does not constitute agreement with any factual or legal assertion Plaintiffs make in their memorandum of law. *See* Memo., Doc. 13-1. Intervenor's file this response to expressly state their understanding of the effect of this Court granting the motion to proceed pseudonymously on two points.

First, Intervenor expressly state their understanding that the Court’s order allowing the Voes to proceed pseudonymously does not restrict Intervenor or other Defendants from obtaining Movants’ true names along with information, documents, and other materials “otherwise discoverable under the Federal Rules of Civil Procedure.” Proposed Order ¶1.

Second, Intervenor further state their understanding that the Voes proceeding pseudonymously does not, by itself, justify statewide relief or injunctive relief that Plaintiffs would not otherwise be entitled to if they were proceeding under their own names. *See L.W. v. Skrmetti*, 83 F.4th 460, 490 (6th Cir. 2023) (“[P]laintiffs cite no authority that privacy interests alone could justify statewide relief.”). Otherwise, Plaintiffs’ motion would prejudice Intervenor, other Defendants, and the State of North Carolina as a whole, and Intervenor would need to reconsider their non-opposition.

Dated: November 3, 2023

/s/ Craig D. Schauer
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Respectfully submitted,

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CERTIFICATE OF WORD COUNT

Pursuant to Local Rule 7.3(d)(1), the undersigned counsel hereby certifies that the foregoing Response, including body, headings, and footnotes, contains 203 words as measured by Microsoft Word.

/s/ Craig D. Schauer
Craig D. Schauer
Counsel for Intervenors

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that, on November 3, 2023, I electronically filed the foregoing Response with the Clerk of the Court using the CM/ECF system which will send notification of such to all counsel of record in this matter.

/s/ Craig D. Schauer
Craig D. Schauer
Counsel for Intervenors